



UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 10 2004

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of :
Steven Roy Lipscomb *et al* :
Application No. 10/617,477 : DECISION ON
Filed: July 11, 2003 : RENEWED PETITION
Attorney Docket No. 320400-00004 :

This is a decision on the renewed petition to make special filed on September 20, 2004. The petition is submitted pursuant to the practice established in MPEP § 708.02(II) "Infringement." The \$130.00 petition fee allegedly been submitted in the form of a check with the original petition, but Office records do not confirm this. The petition fee will be charged to Deposit Account No. 50-1214, and if ultimately there is a duplicate charge, petitioners may request a refund.

The renewed petition is granted.

A review of the renewed petition shows that petitioners have now satisfied all of the requirements set forth in MPEP § 708.02(II). Accordingly, the examiner will treat this application as special throughout its prosecution. Prior to the first action on the merits, the examiner will conduct a rigorous search for potentially interfering applications. The interference search will be brought up to date prior to each successive action.

The Supervisory Patent Examiner of Patent Examining Art Unit 3711 will be notified of this decision, and will inform the assigned examiner to take action not inconsistent there with this decision.

PETITION GRANTED.

Stephen Marcus, Special Program Examiner,
Technology Center 3700

Patent Administrator
Katten Muchin Zavis Rosenman
525 West Monroe Street
Suite 1600
Chicago, IL 60661